

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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EVERYTOWN FOR GUN SAFETY  
ACTION FUND, INC.,

Plaintiff,

v.

DEFCAD, INC.; ODYSEE USER  
XYEEZYSZN; DEFCAD USER  
XYEEZYSZN; ODYSEE USER  
THEGATALOG-PRINTABLEMAGAZINES;  
THE GATALOG; DEFCAD USER  
FREEMAN1337; TWITTER USER  
XYEEZYSZN; PHILLIP ROYSTER.

Defendants.

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Civil Action No. 21-cv-08704-  
PGG

**STIPULATION OF VOLUNTARY DISMISSAL WITH PREJUDICE AND WITHOUT  
FEES OR COSTS AS TO EITHER PARTY**

Plaintiff Everytown for Gun Safety Action Fund, Inc. (“Everytown”), and Defendants Phillip Royster, Odysee User xYeezySZN, Defcad User xYeezySZN, and Twitter User xYeezySZN (“Royster Defendants”) hereby stipulate as follows:

1. Everytown and the Royster Defendants have reached a settlement of the above-captioned action, and as a condition of their settlement, the Parties have agreed to the entry of a Stipulated Order.
2. This Court entered the Stipulated Order on March 8, 2023 [DKT. 151].
3. Everytown now agrees to dismiss its claims against the Royster Defendants with prejudice.

Therefore, Everytown and the Royster Defendants stipulate and agree that, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Everytown voluntarily dismisses its claims against the Royster Defendants with prejudice. Everytown and the Royster Defendants waive any right to recover attorneys' fees or costs from each other in connection with the above-captioned action upon dismissal.

All parties who have appeared in this action on behalf of Everytown or the Royster Defendants have signed this stipulation below, by themselves or through their respective attorneys of record.

Respectfully submitted,

Dated: March 15, 2023

EVERYTOWN FOR GUN SAFETY ACTION  
FUND, INC.

By: /s/Marcella Ballard

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*Attorneys for Plaintiff Everytown for Gun Safety  
Action Fund, Inc.*

Dated: March 15, 2023

PHILLIP ROYSTER, DEFCAD USER  
XYEEZYSZN; ODYSEE USER XYEEZYSZN;  
and TWITTER USER XYEEZYSZN

By: /s/Daniel Louis Schmutter

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